

## Message Text

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PAGE 01 STATE 063135

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ORIGIN COA-02

INFO OCT-01 ARA-11 ADP-00 L-03 COME-00 CIAE-00 DODE-00

PM-09 H-02 INR-10 NSAE-00 NSC-10 PA-03 RSC-01 PRS-01

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FM SECSTATE WASHDC

TO AMEMBASSY BOGOTA

INFO AMEMBASSY MEXICO

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C O R R E C T E D C O P Y ( O M I S S I O N O F A D D R E S S E E )

E. O. 11652: N/ A

TAGS: EFIS CO

SUBJ: REPORTED HARASSMENT OF US FISHING VESSELS AT  
SERRANA BANK

REF: STATE 52240 OF APRIL 9, 1970

NEXICO CITY FOR RERIONAL FISHERIES ATTACHE

1. NATIONAL MARINE FISHERIES SERVICE AS RECEIVED REPORT  
THAT THREE US FISHING VESSELS

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PAGE 02 STATE 063135

S ( SNAPPER BOATS) FROM MISSISSIPPI, NAMED TAMPICO, SWAN ISLAND, AND SUCATAN, WERE HARASSED BY COLOMBIAN NAVAL VESSEL BEARING NUMBER 75 AT SERRANA BANK ON MARCH 30. ACCORDING TO REPORT, SHOTS WERE FIRED ACROSS BOW AND VESSELS WERE BOARDED BY TWO ARMED MEN EACH AT LOCATION 4 TO 5 MILES OFF SERRANA LIGHT. THEY WERE ORDERED TO ANCHORAGE, PAPERS WERE INSPECTED AND AFTER ABOUT 6 HOURS DETENTION THEY WERE RELEASED WITH INSTRUCTIONS NOT TO RETURN TO AREA WITHOUT DOCUMENTARY EVIDENCE OF PERMISSION TO FISH THERE. VESSEL TAMPICO HAD BULWARKS DAMAGED WHEN COLOMBIAN VESSEL CAME ALONGSIDE. CREWS OF FISHING VESSELS REPORTED COLOMBIAN NAVAL PERSONNEL TOLD THEM GOC CLAIMS 200 MILES AROUND ISLANDS, ( BUT THIS MAY HAVE BEEN MISUNDERSTANDING.

2. THIS IS FIRST INCIDENT OF THIS KIND THAT HAS BEEN REPORTED TO DEPARTMENT IN SEVERAL YEARS. WHEN US SNAPPER BOAT GEMINI WAS SEIZED OFF SERRANA IN 1968 AND DETAINED AT SAN ANDRES, GOC, IN RELEASING VESSEL WITHOUT PENALTY, ASSURED EMBASSY THAT IT CONTINUED TO INTERPRET 1928 ARRANGEMENT AS GIVING NATIONALS OF BOTH COUNTRIES RIGHT TO FISH A THREE DISPUTED AREAS. WHEN SNAPPER BOAT HIGH-LINER WAS STOPPED OFF SERRANA BY COLOMBIAN PATROL IN MARCH 1970, GOC OFFICIAL RAISED WITH EMBASSY QUESTION OF WHETHER US FISHING VESSELS OPERATING IN AREA SHOULD HAVE SPECIAL PERMIT. ( AS INDICATED IN REFTTEL, US FISHING VESSELS OF FIVE NET TONS AND OVER ARE LICENSED UNDER US LAW TO ENGAGE IN THE QUOTE COASTING TRADE AND MACKEREL FISHERY END QUOTE AND ARE DEEMED TO HAVE THEREBY SUFFICIENT LICENSE FOR ENGAGING IN THE TAKING OF FISH OF EVERY DESCRIPTION, INCLUDING SHELLFISH. THERE IS NO PROVISION IN US LAW FOR ANY SPECIAL LICENSE OR PERMIT TO ENGAGE IN FISHING OFF ANY PARTICULAR PART OF US TERRITORY.

3. EMBASSY IS REQUESTED TO CALL THIS INCIDENT TO ATTENTION OF APPROPRIATE GOC AUTHORITIES, ASK THAT COLOMBIAN NAVY BE REMINDED OF US FISHING RIGHTS AT QUITA SUENO, SERRANA AND RONCADOR, AND SUGGEST THAT COLOMBIAN NAVAL OFFICERS WHO MAY WISH TO CHECK NATIONALITY OF US FISHING VESSELS DO SO WITH DUE CARE TO PROPERTY, AVOID INTERFERENCE WITH FISHING OPERATIONS, AND ACCEPT VESSELS' DOCUMENTS AS EVI- LIMITED OFFICIAL USE

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PAGE 03 STATE 063135

DENCE OF FULL RIGHT TO FISH ACCORDING TO US LAW. EMBASSY

SHOULD ALSO REMIND GOC AUTHORITIES THAT COLOMBIA- US TREATY  
ON QUITA SUENO, RONCADOR AND SERRANA IS CURRENTLY BEFORE  
US SENATE; INCIDENTS OF THIS SORT COULD ADVERSELY EFFECT  
OUR EFFORTS TO OBTAIN SENATE' S ADVICE AND CONSENT. USG IS  
ALSO CONCERNED OVER IMPLICATIONS COLOMBIAN NAVY ACTION IN LIGHT  
OF ARTICLES 2 AND 3 OF TREATY AND ACCOMPANYING  
EXCHANGE OF NOTES ON FISHING RIGHTS. ALTHOUGH NEITHER  
TREATY NOR ACCOMPANYING AGREEMENT IS YET IN FORCE, COLOM-  
BIAN NAVY ACTION CLEARLY IN CONFLICT WITH ARTICLE 3 AND  
COULD CALL INTO QUESTION GOC' S GOOD- FAITH INTENTION TO  
HONOR THESE AGREEMENTS. ROGERS

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